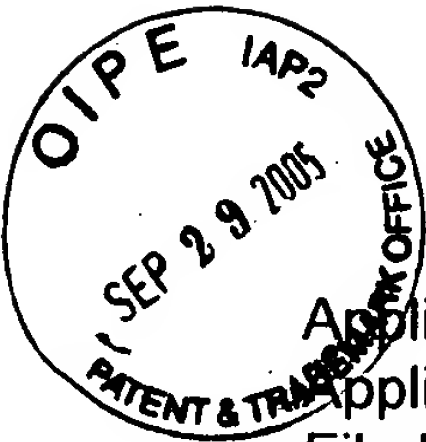


Application No.: 09/745,751  
Amendment Rule 111 dated September 29, 2005  
Reply to Office Action dated June 29, 2005  
Attorney Docket No.: 3486-018

## **EXHIBIT G**

**Oscar GHELBER, MD**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/745,751 Confirmation No.: 1104  
Applicant : HOCHMAN, Mark N.  
Filed : December 21, 2000  
TC/A.U. : 3763  
Examiner : HAYES, Michael J.  
  
Docket No. : 3486-018  
Customer No. : 22440

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DECLARATION UNDER 37CFR 1.132

I, OSCAR GHELBER, MD, hereby make the

following declaration in support of the above-named application:

1. I reside at 3541 BRADFORD ST. HOUSTON TX 77025
2. I am a licensed physician and I have been practicing Medicine for 17 years.
3. I have written and published many articles in the field of medicine, including articles related to Anesthesiology. I have also reviewed many articles in this field and I am frequent lecturer, having made presentations all over the world.
4. A copy of current Curriculum Vitae is attached providing more details of my background and expertise in the field of dentistry.
5. One problem in the field of medicine and more particularly, during the injection of an anesthetic into a living tissue prior to performing dental procedures pertains to needle

bending. As a needle is introduced through tissues to a preselected site for delivering an anesthetic, it frequently bends. This action causes discomfort in the patient and pain. In many instances, a patient either stiffens up, or, worse, tries to move involuntary away from the needle, or close his mouth, thereby causing even more discomfort.

6. Recently, Dr. Mark Hochman disclosed to me his invention, that solves the problem of needle bending. More specifically, Dr. Hochman has disclosed to me:

a method of injecting a drug into a patient through a needle having a lumen comprising the steps of:

advancing said needle into the tissue linearly along a longitudinal axis of the needle;

simultaneously rotating the needle along its longitudinal axis to reduce deflection of the needle; and


injecting the drug.

7. Initially, I had some doubts that this procedure would work. However, I have tried this technique at least 15 times on patients and I found that it is very effective in reducing needle bending and, subsequently, in reducing or eliminating patient discomfort and pain.

8. I found that for the procedure was effective as long as I kept the needle rotating to change the orientation of the bevel of the needle in somewhat continuous manner

during the insertion, and that the total angle of rotation of the needle, or whether it was rotated only in a single direction, or back and forth, did not matter that much. I found that it was very easy for me to determine intuitively how much to rotate the needle from the reaction of the patient. More particularly, if I did not rotate the needle enough to prevent it from bending, the patient became uncomfortable as indicated by his body language and other indicia, including verbal communication from the patient, Because of this immediate voluntary or involuntary feedback from the patient, it was very easy to adjust the procedure to each patient as required.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_, M.D.

Date: 9.1. 2005

## Curriculum Vitae and Bibliography

September 1, 2005

NAME: Oscar Ghelber, M.D.

PRESENT TITLE: Assistant Professor  
Department of Anesthesiology  
The University of Texas Medical School – Houston

ADDRESS: 6431 Fannin, #5.020  
Houston, TX 77030

BIRTHDATE: October 19, 1962

CITIZENSHIP: State of Israel

UNDERGRADUATE EDUCATION:  
Jassy Medical School, Jassy, Romania 1981-1987

GRADUATE EDUCATION:  
Tel Aviv University, Sackler Faculty of Medicine School of 1990-1994  
Continuing Medical Education, Tel Aviv, Israel

POSTGRADUATE TRAINING:  
Residency: Department of Anesthesiology, 1989-1994  
Soroka Medical Center, Beer Sheva Israel

MILITARY SERVICE:  
Basic training and medical officers' course 1994-1995  
Israel Defense Forces

Medical Officer at one of the Battalions 1995  
Israel Defense Forces

## PROFESSIONAL EXPERIENCE

Bacau County Hospital, Bacau, Romania  
INTERNSHIP

1987-1988

Department of Anesthesiology,  
Soroka Medical Center, Beer Sheva, Israel  
ANESTHESIOLOGY RESIDENT

1989-1994

Rabin Medical Center,  
Schneider Children Medical center Of Israel  
(CONCURRENTLY COMPLETED RESIDENCY AS AN ATTENDING)

1995

Section of Pediatric Anesthesiology,  
Schneider Children's Medical Center of Israel, Petah Tiqwa, Israel  
ATTENDING ANESTHESIOLOGIST

1995-2003

Department of anesthesiology  
UT, Houston, Texas  
ASSISTANT PROFESSOR OF ANESTHESIOLOGY

2003-present

## LAN G U A G E S

Romanian - mother tongue

English, Hebrew - fluent

French -- basic+

#### ACADEMIC APPOINTMENTS:

Assistant Professor 5/03-present  
University of Texas Medical School-Houston

#### HOSPITAL APPOINTMENTS:

Attending Anesthesiologist 5/03-present  
Memorial Hermann Hospital  
Houston, Texas

Lyndon B. Johnson Hospital 5/03-present  
Houston, Texas

#### LICENSURE: Texas Faculty Temporary Permit #40245

Step 1 USMLE: pass, one attempt, September 2004-95%  
Step 2 CK USMLE: pass, one attempt, October 2004-98%  
Step 2 CS USMLE: pass, one attempt, November 2004  
Step 3 USMLE pass, one attempt, April 2005

#### CERTIFICATION:

Board Certified in Anesthesiology (L.N. 14646), Israel 1996

#### PROFESSIONAL ORGANIZATIONS:

Israel Society of Anesthesiologists  
Israel Medical Association  
Society for technology in Anesthesia

#### CURRENT TEACHING RESPONSIBILITIES:

Resident Clinical Teaching  
Subspecialty, Pediatric Anesthesia

#### PUBLICATIONS:

Katz J., Halimi P., Efrat R., Rubin S., Gal M. and Ghelber O: Bupivacaine/Fentanyl continuous epidural infusion for postoperative analgesia in children. Minisynposium on Paediatric Anaesthesia, Bucharest, Romania, May 18-21, May 1995

Ghelber O., Ghelber D., Katz Y., and Gal M.: Confusion technique improves mask acceptance score in midazolam premedicated children. 7<sup>th</sup> European cCongress of Hypnosis, Budapest, Abstract book p. 49, June 17-23, 1996

Ghelber O., Gal M., Katz Y: Clonic convulsions in a neonate after propofol anaesthesia. Paediatric Anaesthesia, 7 (1):88, 1997

Katz J., Metzner J., Steinberg R., Ghelber O., Gal M.T.: Maintaining normothermia in infants undergoing major surgery with novel computer-controlled circular water warming device (Allon 2001 system with thermowrap). Austrian International Congress (Austrian Society of Anaesthesiology, Resuscitation and Intensive Care Medicine-OGARI), Vienna, Austria, September 11-13, 2002.

Katz J., Gal, M.T., Metzner J., Kachko L, and Ghelber O.: New Thermoregulation system maintains intraoperative normothermia in infants. 8<sup>th</sup> International Congress of Cardiothoracic and vascular anesthesia, and the 19<sup>th</sup> International Congress of the Israel Society of Anesthesiologists, Tel Aviv, Israel, November 10-13, 2002

Dagan O, Birk E, Katz Y, Gelber O, Vidne B.  
Relationship between caseload and morbidity and mortality in pediatric cardiac surgery--a four year experience.  
Isr Med Assoc J. 2003 Jul;5(7):471-4.

Erez E, Dagan O, Georgiou GP, Gelber O, Vidne BA, Birk E.  
Surgical management of aortopulmonary window and associated lesions  
Ann Thorac Surg. 2004 Feb;77(2):484-7

Birk E, Sharoni E, Dagan O, Gelber O, Georgiou GP, Vidne BA, Erez E  
The Ross procedure as the surgical treatment of active aortic valve endocarditis.  
J Heart Valve Dis. 2004 Jan;13(1):73-7

O. Ghelber, R. Gebhard, P. Szmuk and C. Hagberg  
Identification of the epidural space utilizing continuous pressure measurement with the CompuFlo ® device  
Presented at: STA meeting, Oct 23-27 2004, Las Vegas, USA

O. Ghelber, R. Gebhard, C. Hagberg, P. Szmuk, D. Adebayo  
Use of CompuFlow® for the identification of the epidural space - a preliminary study  
Presented at: STA meeting, January 13-15 2005 Miami, USA

Peter Szmuk, Oscar Ghelber, Ozan Akca and Tiberiu Ezri  
Use of CobraPLA after failure of LMA as a conduit for flexible bronchoscopy in a child under general anaesthesia  
Br J Anaesth. 2005 Apr;94(4):548-9

O. Ghelber, R. Gebhard, C. Hagberg, P. Szmuk, D. Adebayo, D.G. Iannucci  
Use of CompuFlow® for the identification of the epidural space - a pilot study  
Presented at 79<sup>th</sup> IARS meeting, March 11-15, Honolulu, Hawaii

O. Ghelber, R. Gebhard, P. Szmuk, C. Hagberg, D.G. Iannucci  
Identification of the epidural space - a pilot study of a new technique  
Presented at 79<sup>th</sup> IARS meeting, March 11-15, Honolulu, Hawaii



Will be featured in Anesthesiology News

P. Szmuk, M. Matuszcak, O. Ghelber, M. Rabb, R. D. Warters  
Use of Cobra® for management of difficult airway in two infants  
Presented at 79<sup>th</sup> IARS meeting, March 11-15, Honolulu, Hawaii

P. Szmuk, M. Matuszcak, O. Ghelber, D. Maposa, M. Rabb, D. I. Sessler  
CobraPLA versus disposable LMA in pediatric patients: a preliminary comparative study  
Presented at 79<sup>th</sup> IARS meeting, March 11-15, Honolulu, Hawaii  
Best of section abstract

## RESEARCH PROGRAMS

Identification of the Epidural Space during Epidural Anesthesia Utilizing the CompuFlo -  
A Pilot Study (principal investigator)

Injections of Local Anesthetics for Peripheral Nerve Blocks Utilizing the CompuFlo  
Injection Device - A Pilot Study (coinvestigator)